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### BOOK REVIEWS.

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All book reviews are by the editor in chief unless otherwise expressly stated.

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**A Treatise on the Law of National and State Banks**, including the Clearing House and Trust Companies, with an Appendix containing the National Bank Act as Amended and Instructions Relative to the Organization of National Banks. 2nd Edition, Revised and Enlarged, by H. W. Magee, B. L., a Member of the Los Angeles Bar and formerly one of the Board of Bank Commissioners of the State of California. Price \$7.50.

It is said by those who are thoroughly cognizant of the subject that when a baby passes its second summer the probability of its life increases in the most tremendous ratio, and we may safely say that when a law book reaches its 2nd edition it is on its way to long continued usefulness. The first edition of Mr. Magee's book was given to the public in 1906. Since that time many of the states have passed what are called progressive laws regulating and controlling all business of banking, and many recent decisions of the courts on the powers and limitations of banks have rendered this new edition an absolute necessity. The book is therefore not only a timely one, but is original in its plan and shows the effect of long and conscientious study of the author's subject. We particularly like the clearness with which the author states first his proposition and then quotes authority to sustain it, not taking, as so many authors do, the case as a text and commenting upon it, but first giving to the profession a carefully matured judgment and then supporting it by authority. The work is a practical one in every sense of the word and should be upon the desk of every banker and every lawyer interested in the subject. The appendix is peculiarly valuable to national banks, giving the full and complete text of all the laws regulating and controlling national banks, together with full instructions relative to their organization. We heartily commend the work to the profession.

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**American and English Annotated Cases**—Containing All Important Cases Selected from the Current American, Canadian and English Reports, thoroughly annotated. Editors William McKinney and H. Noyes Greene. Volume 27. Ann. Cas. 1913 B. Edward Thompson Company, Northport, Long Island, New York, 1913. Bancroft-Whitney Company, San Francisco, 1913. Price \$5.00.

It is always with a distinct sense of pleasure that we receive a volume of these Annotated Cases. We enjoy the novelty of many of the selections in that they direct our attention to new questions so well annotated that we have no difficulty in connecting them with the old. As a general rule we turn to the English cases, as this is the only series that we have a chance to see in which the English and Canadian cases are given along with the American. We are able through the annotations to compare the views of different courts upon the same question, not always, we must confess, with as much pleasure as we examine the volume. An instance of the diverse way of looking at things by the different courts of this country is shown in the note to *Grigsby v. Russell*, page 863, upon

the right of an insured to assign policy of life insurance to one having no insurable interest. The authorities seem in almost hopeless conflict.

There is also a very interesting note upon *State v. American Surety Company* as to an insurance company as engaged in trade or commerce.

The eternal liquor question comes up in a note on page 1030 as to What is a Hotel within the Statute Regulating Sales of Liquor. The note on page 293 as to the Liability of Railroad Company for Personal Injury Caused by Frightening of Horses by Train of Cars brings the law up to date. There is quite an interesting note on page 1248 upon the subject of Misnomer of Defendant in Publication Notice as Affecting Jurisdiction of the Court.

This volume is in every way up to the standard of its predecessors.

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**The Lawyers Reports Annotated.** New Series. Book 41. Burdett A. Rich and Henry P. Farnham, Editors. 1913. Rochester, New York. The Lawyers Cooperative Publishing Company. Rochester, New York.

The existence of a law office without the Lawyers Reports Annotated appears to the reviewer almost an impossibility. There is hardly a question which comes up in active practice that a wise lawyer does not immediately turn to these volumes. The reviewer was consulted by a client upon the effect of partial eviction upon liability for rent. He happened to have the present volume upon his desk at the time the question was asked him, and turning to the index to the notes—which he might say *en passant* he generally examines first—he found the most recent decisions in a note upon this very subject upon page 430, referring him to the earlier cases in the old series, and was able to send away his client satisfied.

The note upon Rules of the Road Governing Vehicles Proceeding in the same Direction is the first real treatise—for it is a treatise—upon this subject with which the reviewer has met.

An important note upon a live subject is the one upon page 505 as to Whether the Medical Examiner is the Agent of the Insured or the Insurer.

One would be surprised until he examined the note on page 805 as to the amount of case law which has arisen upon the simple question of the Form of Execution of Deed by Attorney in Fact of Agent.

The note upon Dissimilarity of Previous Statements of a Witness out of Court Consistent with His Testimony amounts almost to a treatise and is a most admirable collation upon a subject as perplexing as any in the law of evidence.